

REMARKS

This Reply is in response to the Final Office Action mailed on April 21, 2006.

Applicant hereby requests allowance of claims 1-20 and 23-32 of the present application in view of the following:

I. Objections to the Specification and the Abstract

The Examiner has stated at page 2, section 3 (first paragraph) of the Final Office Action (dated April 21, 2006) that, "This application is in condition for allowance except for the following formal matters". However, the Examiner has not explicitly stated whether such "formal matters" constitute objections or rejections. Notwithstanding, the Applicant assumes the Examiner's statement to be an "objection" to the Specification and Abstract, based upon the remainder of section 3 of the Office action. Accordingly, the Applicant has responded to section 3 of the Final Office Action by way of the above amendments to the Specification and Abstract. Specifically:

i) The Examiner has indicated that at page 7, line 14, the phrase "primary media release device 160" should read --**priority** media release device 160--. The Applicant agrees that the correct term for item 160 is "**priority** media release device", as evidenced by line 7, page 7. Accordingly, a replacement paragraph has been submitted (as indicated above) to correct the error at page 7, line 14.

ii) The Examiner has indicated that at page 7, lines 14-15, the phrase "to selectively block media (M2) in the priority feed tray 108 from the priority media feed mechanism 142" should be changed to, --to selectively block media (M2) in the priority feed tray 108 from **being released to** the priority media feed mechanism 142--. While the Applicant contends that the original phraseology is in fact correct (using the second definition of the term "from" as set forth in *Websters' Third New International Dictionary of the English Language Unabridged* (Merriam-Webster Inc., Springfield, MA, 1986))* , the Applicant believes that there is sufficient support in the original specification (e.g., page 12, lines 8-9) to adopt the phraseology suggested by the Examiner without affecting the intended scope of the claims as supported by the amended specification. Accordingly, a replacement paragraph has been submitted (as indicated above) to adopt the phraseology suggested by the Examiner with respect to page 7, lines 14-15.

*The primary definition of “from”, as set forth in the *Websters’ Third New International Dictionary* cited above, is “used as a function word to indicate a starting point.” Accordingly, the Examiner has interpreted the phrase “to selectively block media in the priority feed tray from the priority media feed mechanism” as meaning that the media is issuing from the priority media feed mechanism, which is quite impossible since the media has not yet been provided to the feed mechanism! However, as originally written, the Applicant intended the use of the word “from” (in the phrase “to selectively block media in the priority feed tray from the priority media feed mechanism”) to correspond to the second definition of “from”, as set forth in the *Websters’ Third New International Dictionary* - that is, “used as a function word to indicate the fact or condition of spatial or physical absence, separation, remoteness, or disjunction”. (Emphasis added.) As can be seen, in the absence of any other supporting evidence, the phrase “to selectively block media in the priority feed tray from the priority media feed mechanism” is capable of interpretation in two different ways; viz: (1) following from the first definition of “from” in *Websters’*, “to selectively block media in the priority feed tray that issues from the priority media feed mechanism”; or (2) following from the second definition of “from” in *Websters’*, “to selectively and physically separate media in the priority feed tray from the priority media feed mechanism”. As is evident from further sections of the detailed description (e.g., page 12, lines 8-9), it is evident that the latter of the two potential (just-provided) interpretations of the phrase is indeed the intended and correct interpretation of the phrase. Notwithstanding, the Applicant has elected to adopt the Examiner’s suggested phraseology, and has amended the specification and certain claims (as indicated below) accordingly, since the clarification suggested by the Examiner is consistent with the Applicant’s intended use of the expression “to selectively block media in the priority feed tray from the priority media feed mechanism”, as explained above.

Further, the Examiner has requested that the Applicant “also check for this language [i.e., “to selectively block media in the priority feed tray from the priority media feed mechanism”] throughout the specification and make necessary correction.” In response, the Applicant has identified the paragraph at page 8, lines 14-27 as containing similar language. Accordingly, a replacement paragraph has been submitted above to address this request.

iii) The Examiner has also indicated that, in the Abstract, the expression "from the media feed mechanism" should be changed to "from **being released to** the media feed mechanism". In response, a replacement Abstract is submitted above, containing the requested phraseology.

iv) In view of the above amendments to the Specification (including the Abstract), the Applicant contends that the Specification and Abstract (as amended) now fully satisfy the Examiner's requested changes. The Applicant therefore requests that the Examiner's (ostensible) objections to the Specification and Abstract be removed.

II. Claim Objections

Claims 1, 2, 8 and 14 were objected to (see paragraph in bold, approx. middle of page 3 of the Office action) for use of the phrase "from the media feed mechanism". The Examiner has indicated that the phraseology "should" be changed to, --from **being released to** the media feed mechanism--.

As indicated above with respect to similar (ostensible) "objections" to the specification on this count, the Applicant contends that the original phraseology is, in fact, grammatically correct, using an alternate definition of the word "from" (i.e., to represent the condition of spatial separation, versus to indicate a starting point). Notwithstanding, the Applicant believes that the specification is consistent with, and fully supports adopting, the Examiner's requested changes (as evidenced by the original specification at page 12, lines 8-9). Accordingly, the Applicant has amended claims 1, 2, 8 and 14 (as indicated above) to accept the Examiner's requested changes. In light of these amendments, the Applicant contends that claims 1, 2, 8 and 14 (and those claims which depend there from) are now allowable.

III. Allowed/Allowable claims

Claims 9-13 and 23-32 have been allowed. Claims 1-8 and 14-20 have been objected to (for the reasons set forth above).

(Continued on next page.)

IV. Conclusion

In light of the Examiner's allowance of claims 9-13 and 23-32, and indication allowability of claims 1-8 and 14-20, and further in light of the above amendments to the specification and selected claims, the Applicant contends that all of claims 1-20 and 23-32 are now in condition for allowance, and respectfully requests timely and favorable action to this end.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date May 9, 2006

Reidlaw, L.L.C.
1926 S. Valleyview Lane
Spokane, WA 99212-0157

By



John S. Reid
Registration No. 36,369
Telephone: 509-534-5789